## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA Richmond Division

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) )	CLERK, U.S. DISTRICT COURT RICHMOND, VA
)	<b>CIVIL NO. 3:10CV583</b>
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## **FINAL ORDER**

This matter is before the Court on the Report and Recommendation of the Magistrate

Judge (R&R) entered on July 28, 2011. The time to file objections has expired and neither party
has objected to the R&R. Having considered the matter and deeming it otherwise proper and just
to do so, it is hereby ORDERED:

- (1) The Report and Recommendation of the Magistrate Judge is ACCEPTED and ADOPTED as the OPINION of the Court.
- (2) Plaintiff's Motion for Summary Judgment (docket no. 6) is DENIED.
- (3) Defendant's Motion for Summary Judgment (docket no. 8) is GRANTED.
- (4) The decision of the Commissioner is AFFIRMED.
- (5) This case is CLOSED.

Let the Clerk of the Court send a copy of this Final Order to Plaintiff and all counsel of record.

It is so ORDERED.	÷
	/s/
Richmond, Virginia Date: <u>8-15 - 11</u>	James R. Spencer
	Chief United States District Judge